

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
NO. 04 CV 11522 (JLT)

_____)
STEVEN R. KINCAID,)
)
Plaintiff,)
)
vs.)
)
BANK OF AMERICA CORPORATION,)
)
Defendant.)
_____)

RULE 7.1 CERTIFICATION

This is to certify that Bank of America Corporation through the undersigned counsel conferred with opposing counsel on September 27, 2004, concerning its Motion to Transfer Venue filed September 16, 2004, and has attempted in good faith to resolve or narrow the issues contained therein. Plaintiff's counsel advised that he would not consent to a transfer of venue in this case.

Respectfully submitted,

/s/ Melanie L. Glickson
George P. Kostakos (Bar No. 557919)
Melanie L. Glickson (Bar No. 652565)
Edwards & Angell, LLP
2800 Financial Plaza
Providence, RI 02903
Phone: 404.528.5864
Fax: 401.276.6611

Attorneys for Bank of America, N.A.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing "Rule 7.1 Certification" has been served via electronic mailing to:

John B. Harkavy, Esq.
Bernkopf Goodman LLP
125 Summer Street, Suite 1300
Boston, Massachusetts 02110

The undersigned hereby certifies that a copy of the foregoing "Rule 7.1 Certification" has been served via first class-mail, postage pre-paid to:

Deborah Martin Norcross, Esq.
60 Marion Road West
Princeton, New Jersey 08540

This the 28th day of September, 2004.

/s/ Melanie L. Glickson
Melanie L. Glickson